



ANGUS S. KING, JR.
GOVERNOR

STATE OF MAINE
DEPARTMENT OF PUBLIC SAFETY
MAINE EMERGENCY MEDICAL SERVICES
16 EDISON DRIVE
AUGUSTA, MAINE
04330

MICHAEL F. KELLY
COMMISSIONER

JAY BRADSHAW
DIRECTOR

**Investigations Committee Meeting
Wednesday, March 1, 2000
Maine EMS Conference Room, Augusta**

Meeting Minutes

Present: R. Doughty, S. Hayes, C. Pillsbury, P. Knowlton

Staff: D. White; B. Montejo

1. CALL TO ORDER - The meeting was called to order at 11:26 a.m.

A. Additions/Deletions to the Agenda - None

B. Accept Minutes of January 5, 2000, meeting

The Committee reviewed the minutes of the January 5, 2000 meeting. As only one member of the Committee, who was at the January 5, 2000, meeting, was present at the time the Committee considered the minutes, the Committee voted to table the minutes until next meeting.

Motion: To table the acceptance of the January 5, 2000, meeting minutes until the next Investigations Committee meeting (Hayes; Pillsbury - motion carries).

C. New Member of the Investigations Committee

Paul Knowlton was introduced as the new member of the Committee. Mr. Knowlton is the Operations Manager for Capital/Meridian in Bangor and a Flight Paramedic for LifeFlight. He has been a member of Maine's EMS system since 1976 and was recently appointed to the Maine EMS Board as the Northeast EMS Council Regional Representative.

Mr. Knowlton was welcomed by the Committee.

2. INVESTIGATIONS

A. John Sawicki

1. Request for Investigation

D. White reported that, following a discussion by staff with Maine EMS' attorney general representative, Laura Yustak Smith, staff is requesting that an investigation of John Sawicki be initiated based upon the following information:

- a. Michael Kelly, Commissioner of the Maine Department of Public Safety received a letter and accompanying information from Mr. Sawicki dated January 7, 2000, requesting "a decision in overturning the decision of non - sponsorship on my Level III Instructor Coordinator through SMEEMS". The Commissioner forwarded Mr. Sawicki's letter and information to Maine EMS for appropriate action.
- b. On February 4, 2000, Maine EMS received a copy of a January 14, 2000, decision by the Southern Maine EMS Council Inc. Board of Directors affirming the October 23, 1997 decision of Donnell Carroll to withdraw the Regional Council's sponsorship of John Sawicki as a Maine EMS certified Instructor Coordinator.
- c. During a review of Mr. Sawicki's Instructor Coordinator certification conducted by Maine EMS, information was received from the State of New York indicating that documentation that Sawicki submitted to obtain his initial Instructor Coordinator certification in Maine may have been falsified.

S. Hayes expressed concern as to whether the Board had jurisdiction in reviewing the decision by the Southern Maine EMS Council to rescind sponsorship.

Motion: To initiate an investigation regarding John Sawicki's Instructor Coordinator certification - reserving for a later decision as to whether the Committee or Board has jurisdiction to hear the appeal by Mr. Sawicki of the Southern Maine EMS Council's decision to rescind sponsorship (Hayes; Doughty - motion carries).

2. Probation Requirements

D. White reported that the six month suspension of John Sawicki's license was completed on February 28, 2000. As part of the reinstatement, the Commissioner Kelly directed that Sawicki's license be probationary as of March 1, 2000; the probationary requirements being that Sawicki comply with all rules and conditions set by the Board. Staff inquired as to what, if any requirements were to be imposed. Extensive discussion ensued which included review of S. Hayes' proposal for conditions and comments by Maine EMS' AG representative regarding same.

Motion: That the conditions placed upon John Sawicki's probationary license are that the licensee will:

- a. report to Maine EMS where the licensee is employed as an EMS provider; and,***
- b. report to Maine EMS, within one week of the status change, of changes to his EMS employment status; and,***
- c. provide Maine EMS with, within one week of employment application or contract execution, a copy of any and all applications or contracts which the licensee files or executes for any EMS related employment or EMS related contracting; and,***
- d. report to Maine EMS, within one week of arrest, summons or claim, of any arrest or summons for any new criminal or civil charges, or if any claim for reimbursement or restitution is made against him.***

Further, Maine EMS may contact Mr. Sawicki's employer or contracting party to ascertain if there exists any performance or other issues, and to request that Maine EMS be notified immediately if there is any incident in which discipline is contemplated or possible (Hayes;Doughty - motion carries).

B. Michael Drake - Request for Investigation

Staff reported that it had received information which indicates licensee Michael Drake, Maine EMS license # 13806, has been arrested for Simple Assault, Criminal Mischief, and Threatening with a Firearm. Staff requests authority to initiate an investigation.

Motion: To initiate an investigation of licensee Michael Drake (Doughty; Hayes - motion carries).

D. White inquired as to whether the Committee wished to request a voluntary surrender of Mr. Drake's license.. He indicated that Bath Fire Department is still employing this individual on active status in spite of the charges against him.

Motion: To request that licensee Michael Drake voluntarily surrender his Maine EMS license pending the resolution of this case (Pillsbury; Doughty).

C. John Robertson - Request for Investigation

Staff reported that it has received information which indicates that licensee John Robertson, Maine EMS license # 17254 has a history of motor vehicle suspensions and has operated ambulance vehicles during the period of time in which he did not possess a valid motor vehicle operators license.

Motion: To initiate an investigation of licensee John Robertson (Hayes; Knowlton - motion carries).

D. Mary Hennessey

D. White reported that information has been received which indicates that licensee Mary Hennessey, Maine EMS license #18673, practiced EMS patient without a license between July 1, 1999 and January 29, 2000.

To initiate an investigation of licensee Mary Hennessey for practice of EMS patient care without a license (Pillsbury; Knowlton).

E. Christopher Reed - Update

D. White reported that Christopher Reed has filed an appeal of the denial of his EMS license. The hearing will probably be scheduled for May, 2000.

F. Dresden First Responders - Update

D. White reported that he has a meeting scheduled with members of the Dresden First Responders on Thursday, March 2, 2000. He will report back at the April meeting.

G. Peter Coffey - Update

The Peter Coffey fair hearing has been rescheduled for the April 5, 2000 Board meeting.

H. Carmel Ambulance Service - update

D. White reported that work continues with Carmel Ambulance Service in addressing the quality of care and service administration issues which were the basis for the complaint against the service. A meeting has been scheduled for March 7, 2000 with the service and regional coordinator Danel Bahr.

I. Augusta Fire Department - Response

The Committee was informed that Chief Bradley of the Augusta Fire Department has submitted a plan to insure that cases of unlicensed practice do not recur. Staff will close this investigation.

3. Applications

A. Thomas Varick

Staff notified the Committee that the hearing officer in the Thomas Varick application hearing has recommended that Mr. Varick be licensed. The hearing officer found that Mr. Varick had produced evidence of rehabilitation sufficient to meet the requirements of licensure. We are awaiting the decision of the Commissioner.

4. OTHER

A. Update on Current Cases

Staff reported that there are 10 cases currently open.

5. NEXT MEETING

A. Set Agenda - To be set prior to meeting

B. Set Date and Time - The next meeting will be on April 5, 2000 following the Maine EMS Board meeting.

6. ADJOURNMENT - The meeting was adjourned at 12:52 p.m.

Respectfully Submitted,

Drexell White